

MEETING OF THE EXECUTIVE  
COMMITTEE.

The Executive Committee of the Democratic Party of Mississippi is requested to meet in Jackson on Thursday, the 12th inst., at 11 o'clock A. M., for the transaction of important business.

JOHN D. FREEMAN, Chairman.  
C. H. MARSH, Secretary.

UNIVERSITY OF THE SOUTH.—A special meeting of the Trustees of the "University of the South" will be held at Savannah, Ga., on the 1st day of April, inst., at 7 o'clock, P. M. A full attendance is most earnestly requested, as business of the utmost importance is to be transacted, with a view to the early opening of the Institution.

W. M. GREEN, President.  
University Place, March 1st, 1868.

## GEN. EMORY'S TESTIMONY.

The testimony of General Emory, commander of the department of Washington, is too important a feature in the impeachment trial, to be omitted from our columns. It is the basis of article ten in the series voted by the House. The President is charged with having "declared and instructed" that officer, that the section of the act of March 2nd, 1867, which provides that all orders relating to military operations issued by the President or Secretary of War, shall be issued through the General of the Army—is "unconstitutional;" and with having sought "to induce the said Emory to violate its provisions;" and to obey his orders whether endorsed by Gen. Grant or not.

The testimony does not sustain the charge. The President declared the law "unconstitutional" as it clearly is, but did not instruct Gen. Emory to disobey it. The proceeding is conclusive of the unscrupulous character of the President's prosecutors:

## GENERAL EMORY'S TESTIMONY.

The following is Gen. Emory's testimony relative to his interview with the President, on the 22d of February:

The President asked me if I recollected the conversation with him, when I first took command of the department, in reference to the strength of the garrison at Washington and the disposition of troops in this department. To which I replied that I did not recollect it distinctly. He asked me if there had been any changes. I replied that there had been no material changes, but such as had been made I could state at once. I then went on to state that six companies of the twenty-ninth infantry had been brought here to winter, but that they had been offset by detaching four companies of the twelfth infantry to Charleston on the requisition of Gen. Canby; that two companies of the fourteenth artillery, which had been detached during Gen. Canby's command of the department, one to the Northern frontier, to assist in putting down Fenian difficulties, had been returned to their regular station at Fort McHenry, Baltimore, that, though the command had been increased in number of companies, I was under the impression that the reduction in the numerical strength of the command, growing out of the number which reduced the infantry and artillery companies from the maximum of the war establishment to the minimum of a peace establishment, was more than offset by the gain of additional companies.

The President said: "I refer to more recent changes."

I said I did not know exactly what he referred to by recent changes; that they had not been made to my knowledge; that if he would give me some idea of who had made the report to him, or what the report was which he had received, I could, perhaps, give him a more definite answer. He said reports had reached him that within the last day or two certain new arrangements of troops had been made. I assured him that none had been made with my knowledge, and I did not believe any had been made without it; that under the recent orders, founded upon the laws of Congress for the government of the armies of the United States, approved by him, no order could come to me except through General Grant, and that reasoning from analogy it was assumed in the army that no order could be given to any one under my command without coming through me; that if by any possibility an order had been given without coming through me, it was the duty of the officer receiving it to notify me.

He then asked me, "What order do you refer to?"

I stated I referred to order No. 15 or 17, but could not recollect which, that had been published to the army sometime in May last. He said, "I wish to see the order," I replied that I would send for it.

He said, "No; I have all the orders about the house," and a messenger was sent for it. At that time Colonel Cooper came in and occupied the President's attention for some time upon another subject, as I supposed, for I withdrew to the other end of the room. While there, the messenger came and brought the order. After Colonel Cooper had gone out, I returned to the President with this order in my hand and said: "Mr. President, I will permit me to call your attention to this order or act. It passed in an appropriation bill and it is possible that you may never have seen it. He

took the order and read it, and observed: "This is not in accordance with the Constitution of the United States, which makes me Commander-in-chief of the army and navy, or with the language of the commission which you hold."

I stated to him that it was not a matter for officers to determine. It was an order sent to us, approved by him, and we were all governed by that order.

Question—"Do you mean that the order or the acts was approved by the President?"

Answer—"I mean the act; but as far as that was concerned, the order and act approved by him are the same thing, for the order contained nothing but the act." He said, "Am I to understand that the President of the United States can not give an order but through the General-in-chief or Gen. Grant?"

I replied—"Mr. President, that is the order which you approved, and which has been issued for the government of the army, and I think it due to you to say that when this order first came out it was very much discussed in the army, and some leading lawyers in the country were consulted as to what was the duty of an officer under that law and order, and I observed, one of those consulted—and I consider him, perhaps, one of the greatest constitutional lawyers in the country—gave it as his very decided opinion that we were bound by it, and I think it right to tell you, that on this subject the army is a unit." He asked me who the lawyer was. I told him the one I consulted was a kinsman of mine, Robert J. Walker—and I had understood, though I did not know of my own knowledge, others had consulted Reverdy Johnson, who, it was reported, held the same opinion.

The President replied: "The object of this law is very evident." After a short pause, seeing there was nothing more to say, I thanked him for the courtesy with which he had permitted me to express my opinion, and left the house.

Q. Did the President in any form ask whether you would obey an order if sent to you without going through the headquarters of the General?

A. As nearly as I can recollect, there was not a word said that I have not put down, though I could, of course, not swear that I had put down every word uttered. You may see by my testimony, I, myself, introduced the subject of Order No. 17, which involves this question. There were a variety of rumors of running about town that General Thomas had given orders or had declared that he was going to give orders. I thought it my duty to state the situation fairly and squarely to the President.

## EMIGRATION.

We can understand the disgust which educated and high-toned Anglo-Saxons feel at the rule of the Radical faction, which looks to the subversion of their institutions, and to African political domination and social equality; but we deny the wisdom and the patriotism of the policy of shunning these evils by abandoning the country.

Our people should know that they can do nothing so acceptable to the white outcasts in the South, who are the degraded instruments of the Radical party, as to adopt this expedient. These emissaries desire, above all things, that the intelligent and high-spirited men and women of the South, would abandon the land of their inheritance. The presence of this population is a check upon the brutal proclivities of these "circumlocutors of God," and a protest against their outrages upon his laws. The true way to save our beloved country from the Sodom and Gomorrah era of these blasphemous miscegenators, is to stand by it, to bear patiently the ills we suffer, and to await the deliverance which the aroused intelligence and pride of race of the white people of the country will ere long achieve.

The reasons which should lead to the choice of this, as the wiser part, are well stated by the Galveston News:

"Our presence here, our unanimity and our determination to possess the country and make it what it ought to be—these are the things which radicalism finds to be great obstacles in its path. And the continuance of this policy, on our part, will put us in communication with the Conservative party of the North, and give that party the impulse and encouragement which will enable it to succeed."

"Our agriculturists, if they are careful and prudent, soon begin to see better days. By putting in less land, and cultivating it better, they will raise larger crops and improve their farms. Most of them will be able to raise cotton enough to bring them in considerable money, and at the same time find opportunity for raising breadstuffs. Many are pleased to see, are going to give the Ranie a trial to an extent which will give them some insight into its probable value as a constant crop on a larger scale. Other things are on trial, from which profit is likely to be realized. And thus, while the hard times have their very dark side, they have also, as usual, their good influences which, like bread cast upon the waters, will be gathered after many days."

"Although our planters have much to discourage them, we have full confidence in their courage and good sense, and believe that they will sustain the State through the most trying crisis of its history, and hope that most of them may live to reap large results as the just reward of a noble discharge of duty. One of the greatest advantages they are to realize from the disturbance of the labor system, will be found in the increased use of time and labor-saving implements. Our condition has put invention to work, and men of enterprise will gather together everything in the way of machinery that may suit our situation, and in a few years, very large advantages may be realized from this one source of assistance."

The Louisville Journal, Mr. Prentice's world-renowned paper, claims that fastening its anchor to the banks of the Ohio, it held the State fast to her moorings and prevented her from seceding in 1861; but the Journal now significantly says that "it dare not assert that if the people of Kentucky had known when the question of secession was agitated, what use the North would make of triumph in the event of her achievement, it any paper or combination of papers could have kept them from precipitating themselves into the Southern movement."

## From the Cairo Democrat.

It was announced that Mr. Davis and family were en route North, and would arrive here per steamer Richmond. Yesterday the approach of the anxiously watched for steamer was the signal for the collection of a considerable crowd of citizens, all bent upon a sight of the ex-Confederate President. The boat landed, and to the inquiry "is he aboard?" came a "No" that was a poor recompense for the long waiting and anxious watching of those who were determined on a sight of him and a shake of his hand, "when the Richmond came."

At every landing along the route, the Richmond was besieged by hundreds and thousands of persons anxious to get a sight of Mr. Davis. At Helena fully three thousand persons had assembled, many of them having come a distance of fifty miles, for no other purpose than to see the famous chief of the "Lost cause."

## Mississippi State Convention.

## FIFTY-FIRST DAY.

THURSDAY, MARCH 5, 1868.

Convention met at usual hour. Leaves of absence granted to Messrs. Townsend, Howe, and Merryman.

By Mr. Castello: Whereas, the Legislature of the State of California, has, through the Governor of the United States, transmitted to the President of the United States, resolutions endorsing his treason acts, and pledging their faith and loyalty to support him in his attempt to overthrow Congress, and crush out loyalty, and place the hands of the Government in the hands of traitors and rebels; therefore be it

Resolved, That we, the loyal people of the State of Mississippi, in Convention assembled, with as we have in times past, bear true faith and fealty to the constitution and to Congress, and that we will sustain the Congress of the United States in the discharge of their duties.

Ma. Stovall moved to table.

Mr. Fields moved to explain his vote to the Convention; he considered this as useless. At this point the gavel fell.

Mr. McKee said such a resolution had already passed, and he was opposed to these unbecoming resolutions.

Mr. Stovall said he would vote no; because the Governor of California had made a fool of himself, this was no reason for this Convention to do it.

Mr. Campbell said that he was in favor of censuring wrong, whether it be in the gold regions of California or here.

Yeas and nays called for, and resolution tabled by the following vote: Yeas 31, nays 27.

Mr. Fields moved a suspension of the rules to allow him to offer a resolution, reducing the per diem of the actual expenses of each member to such an amount as he would like to work, and thereby show their patriotism much better than they could by passing those favoring resolutions of praise to Congress.

Mr. Nesbit said that they had passed a resolution requiring every one to have been in the State 12 months before he can vote; he wanted to know if he can vote if he has not been in the State 12 months.

Mr. Clark moved that the rules be suspended.

Carried.

Mr. Clark moved the vote adopting section 40 of Legislative Department report be reconsidered. Carried.

Mr. Clark moved that section 40 be reconsidered to committee, so that it might be acted on with section 41.

On motion of Mr. Conly, the rules were suspended to take up report of committee on Executive Department of the Constitution.

4th section. Mr. Castello moved to amend by striking out "\$5,000" and insert "he shall receive such compensation as may be provided by law."

Mr. Field moved to amend the amendment by inserting \$5,000. Tabled.

Mr. Compton moved to table Mr. Castello's amendment. Lost.

Mr. Compton moved to amend by adding that "he shall not receive less than \$4,000 per annum." Tabled.

Mr. Castello's amendment adopted.

Sections 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 adopted as printed.

On 15th section Mr. E. Parsons moved to amend by striking out "4 years" and insert "2 years" so that the Secretary of State, Treasurer and Auditor of Public Accounts shall hold but two years.

Mr. Castello moved to table. Carried.

19th section adopted as printed.

Mr. McKee moved a suspension of the rules so that the Merryman Committee might report. Rules suspended.

Mr. McKee, as chairman of committee, made the following report:

Mr. President and Gentlemen:

Your committee beg leave to report that in accordance with the resolution of the Convention, recommending their former report made by them in the case of Mr. Merryman, that they have again had the facts under consideration, and in accordance with the will of the Convention, they recommend that the member from Lauderdale county, Mr. Merryman, for repeated acts of drunkenness and disorderly conduct, and for publishing an article impugning the motives of members for their action in his former trial, be expelled and his seat be declared vacant.

GEO. C. MCKEE, Chairman.

Mr. Alderson moved that the report be received and committee discharged, and the report be made special order of the day for 10 o'clock to-morrow. Adopted.

By Mr. Conly—And that the President appoint two members to prepare specifications and charges against Mr. R. C. Merryman, and to conduct the prosecution against him. Adopted.

Mr. Compton moved that the Sergeant-at-Arms be instructed to notify Mr. Merryman of the action of the Convention to-day.

Mr. Gibbs moved to strike out 20th section, as there was one in the legislative department of the same import.

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Mr. E. G. Peyton thought it should be struck out, he considered it out of place here.

Mr. Musgrove favored the striking out. Motion carried.

Mr. Barry moved a reconsideration of section 7th. Carried.

Mr. Barry moved to amend section 7th, by making it read that the Governor could convene the legislature, at other places in time of danger or necessity. Adopted.

On 21st section, Mr. Castello moved to strike out "Kanger" as he thought there was no use for the office.

On section 22d, Mr. F. Parsons moved to amend by striking out 4 years, and insert 2 years. Carried.

Section 23d and 24 adopted as printed.

On section 25, Mr. Alcorn moved to amend by "The Secretary of State, Auditor Public Accounts, and the State Treasurer, shall receive such compensation as may be provided by law." Adopted.

And the bill was laid over to come up on third reading for final adoption.

On motion to take up the report of committee on Judiciary Department.

Mr. McKee said that he hoped it would be deferred, as Messrs. Herbert, Cunningham, Watson and Gaither were absent, and as they were lawyers, he hoped it would be deferred.

Mr. Hauser said he was opposed; some of the gentlemen were drunk, and others absent; they should be here.

Mr. E. G. Peyton said the committee asked nothing of the gentlemen; they were prepared; he said that if members had have done their work, instead of making long winded speeches, the Constitution would have finished, and the Convention would have adjourned.

Mr. Hauser arose to a personal explanation. The Convention would have been done but for the fact that the district judge of the State had refused to pay the tax; he thought it would serve them right if the Convention would stay for twelve months.

Mr. Compton arose to a point of order; he did not think the gentleman had the right to charge the Convention with remaining here for their pay.

Mr. F. Parsons moved that it be made the special order of day for Monday next.

Mr. Musgrove opposed, and that he was opposed; he wanted the Convention to go on with the business, and then if they did not get their pay they would have to go home without it.

Mr. Castello hoped the motion would prevail; he would go in for giving the mover of the minority a fair chance. As for the pay to get home, fortunately, as for the money, the gentleman had no money, and he suggested a way, and when they were through with the Constitution, they could take the "flag" resolution from the table, and like Bates, wrap the flag of the Constitution around them, and go home rejoicing, being kindly aided by both the loyal and the rebels.

Motion of Mr. Parsons carried.

Whereas, the Legislature of the State of California, has, through the Governor of the United States, transmitted to the President of the United States, resolutions endorsing his treason acts, and pledging their faith and loyalty to support him in his attempt to overthrow Congress, and crush out loyalty, and place the hands of the Government in the hands of traitors and rebels; therefore be it

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Chase administered the oath to the Senators in alphabetical order until Wade approached. When Johnson objected to his becoming a member of the court because he had contingent interest.

A discussion ensued, lasting until 5 o'clock. A discussion ensued, lasting until 5 o'clock. A discussion ensued, lasting until 5 o'clock.

No progress whatever was made during nearly four hours debate this afternoon. Utter confusion prevailed regarding the mode of procedure.

A dozen Senators spoke, no two agreeing upon the details developed during the discussion, and nothing was done to the satisfaction of different speakers. Wade having interest, had no right to act and vote. Though Wade had a right to vote, it was a matter of his own conscience; that when the President came to the bar it was time to make challenges; that the President has no right whatever to challenge Judges, the Constitution provided that it was his duty in organizing the court, to keep the organization pure; that if at the end, if the scales were equally balanced, that into which they threw Wade's personal influence, would kick out the Senate, and with only half the members sworn they were neither one nor the other.

Thus the arguments progressed until nearly 5 o'clock, when a senator remained, the right of Wade had been on duty since 10 o'clock moved an adjournment.

Howard objected: they having a rule for adjournment, the Court was accordingly adjourned by that rule, and the Senate was left in session.

The managers were in attendance all the evening, evidently impatient to begin work. Large numbers of persons visited the President.

Stanton still sleeps in the War Department. Thomas goes there for his private mails.

Revenue receipts, to-day, seven hundred and twenty-five thousand dollars.

Judge Chase adjourned the Supreme Court at 1 o'clock, for one hour, expecting to return from the Senate in that time; he not coming Judge Field adjourned the Court to-morrow.

In the Senate, a resolution of thanks from the South Carolina Convention to Congress, Grant and Stanton, was presented.

A bill was introduced for the rebuilding of the levees on the east bank of the Mississippi river, to reclaim the Yazoo river lands.

In the House a bill was introduced providing for a successor should the Chief Justice become vacant. The oldest commissioner succeeds him until a Chief should be duly appointed.

From New Orleans.

NEW ORLEANS, March 5.—In the Convention to-day another attempt was made to amend article 98, relative to disfranchisement.

The Chair decided that any motion to amend after adoption as a whole, is out of order.

The constitution not being ready for signature, the Convention then adjourned.

The Democratic State Convention is in session to-night.

Cotton firm, with an upward tendency; middlings 24@24 1/2.

New York and Louisville Markets.

NEW YORK, March 5.—Cotton more steady; sales 6,500 bales at 25@25 1/2.

LOUISVILLE, March 5.—Flour, superfine \$5 25@5 75; Family \$12 50@13. Wheat \$2 50@2 60. Corn firmer, 7@8 1/2. Oats 67@68.

Statement of the Condition of the HOME INSURANCE COMPANY of New Haven, Connecticut, as of the 31st day of December, 1867, as returned to the

Auditor of Public Accounts of the State of Mississippi.

Amount of Capital authorized by Charter \$3,000,000 00

Amount of Capital actually paid in Cash 1,000,000 00

ASSETS.

Real Estate owned by the Company, unimproved, \$300,000 00

Real Estate owned by the Company, improved, \$300,000 00

Loans on Stock Collaterals, \$300,000 00

Loans on Stock Collaterals, \$300,000 00

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